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U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/865,704
Filing Date	May 29, 2001
First Named Inventor	ITO et al.
Group Art Unit	2826
Examiner Name	MONDT, JOHANNES P
Attorney Docket Number	01-149-RCE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.153 (d) (PTO SB 29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 29, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on February 24, 2003  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Preliminary Amendment/Reply and Appendix showing claim changes
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Letter to Box RCE

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.171 is required.)
- b. ☒ Other Petition for Extension of Time under 37 CFR 1.136(a)

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1147
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.171)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 1050 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enc. used)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	DAVID G. POSZ	Registration No. / Attorney / Agent	37,701
Signature		Date	March 21, 2003

## CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand delivered to and deposited with the USPTO at the Customer Service Window, Office of Internal Patent Examination, Crystal Plaza Building 2, Room 1B-3, 211 South Clark Place, Arlington, VA 22202, on the below indicated date and to the address of the Assistant Commissioner for Patents, Box RCE, Washington, DC 20531.

Name (Print Type)	DAVID G. POSZ	Date	March 21, 2003
Signature			

Buyer's Declaration: This document is submitted to the U.S. Patent and Trademark Office (USPTO) for the purpose of filing a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. The undersigned hereby certifies that the information provided herein is true and correct to the best of their knowledge and belief. The undersigned further certifies that the RCE fee has been paid in full. The undersigned understands that the RCE fee is non-refundable and that the RCE fee is required for the RCE to be considered. The undersigned further certifies that the RCE fee has been paid in full. The undersigned understands that the RCE fee is non-refundable and that the RCE fee is required for the RCE to be considered. The undersigned further certifies that the RCE fee has been paid in full. The undersigned understands that the RCE fee is non-refundable and that the RCE fee is required for the RCE to be considered.